

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

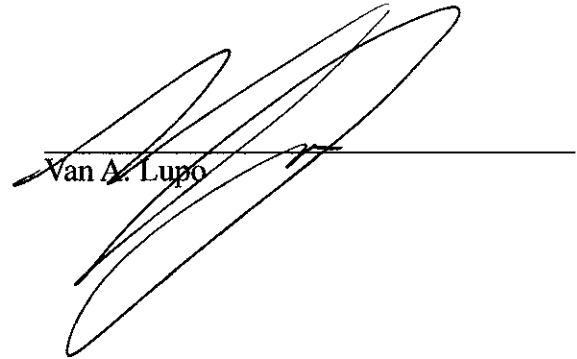
VAN A. LUPO,	)	
Plaintiff	)	
	)	
v.	)	C.A. Number <b>04-40202-FDS</b>
	)	
BANK of AMERICA,	)	Complaint Filed: September 29, 2004
and	)	
SHERYL LUPO	)	
Defendants	)	

**AFFIDAVIT IN SUPPORT OF ASSESSMENT OF DAMAGES**

Now comes Van A. Lupo, who being duly sworn, deposes and states as follows:

1. I am the plaintiff in the above captioned matter.
2. A consumer credit card debt was listed in both my name and the defendant Sheryl Lupo's name.
3. The balance on that consumer credit card, at the time this lawsuit was instigated, was approximately \$7,500 plus substantial interest and penalties.
4. I was not aware of the fact that Sheryl Lupo had applied for or received the credit card, nor run up such a large balance.
5. The indebtedness represents goods sold and delivered to the defendant Sheryl Lupo.
6. I have not, directly or indirectly, received any benefit for the amounts charged on the consumer credit card in question.
7. The defendant has completely ignored this action, and has been judged in default.
8. I have spent considerable money bringing this action and settling this case in order to clear my credit.
9. The specific sums are as follows:
  - \$ 7,500 balance of the credit card account
  - \$ 4,500 attorney's fees
  - \$ 150 court costs
  - \$ 150 process serving costs
  - \$ 162 postage and copying charges
10. I therefore request an award of damages in the amount of \$12,462.00

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS FOURTEENTH DAY  
OF MAY, 2007

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line, is written over a horizontal line. The signature is positioned to the right of the text "Van A. Lupo".

Van A. Lupo